

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

ERIC L. JEFFRIES,	:	
	:	Case No. C-1-02-351
Plaintiff,	:	
	:	(Judge Beckwith)
vs.	:	(Magistrate Judge Hogan)
	:	
CENTRE LIFE INSURANCE COMPANY,	:	<b><u>DEFENDANTS' SECOND</u></b>
et al.,	:	<b><u>SUPPLEMENTAL RESPONSES TO</u></b>
	:	<b><u>PLAINTIFF'S FIRST SET OF</u></b>
Defendants.	:	<b><u>INTERROGATORIES AND</u></b>
	:	<b><u>REQUESTS FOR PRODUCTION</u></b>
	:	<b><u>OF DOCUMENTS</u></b>

In compliance with Rule 26(e) of the Federal Rules of Civil Procedure, Defendants hereby supplement their responses to Plaintiff's First Set of Interrogatories and Requests for Production of Documents. Since its first supplemental responses were served, Defendants have received the following additional information:

**INTERROGATORIES**

4. Identify, by specifically describing them below (and producing), each document or item of information upon which you assert that Mr. Jeffries is not disabled or not entitled to benefits under the Policy.

**SECOND SUPPLEMENTAL ANSWER:** At the time Defendants' answers and supplemental answers to Mr. Jeffries' first discovery requests was served, Defendants had not yet received the IME reports of Drs. Michael Hartings and Newton Bullard. Since receipt of those reports, Defendants have determined that Mr. Jeffries suffers from a mental disorder that entitles him to benefits under the terms of his policy. In addition to the entirety of Plaintiff's claims file which contains the voluminous medical records which have been reviewed in this case, Defendants relied upon the following reports to reach the determination that Mr. Jeffries has a mental disorder: (1) 3/15/03 report of the neuropsychological examination conducted by Michael F. Hartings, Ph.D., (2) report of Dr. Newton Bullard received by Defendants 3/19/03 addressing an examination which took place on February 7, 2003; and (3) 5/5/03 review of medical records by Mitchell Clionsky,

**Ph.D. Copies of these reports are attached hereto and offered in supplementation to document request nos. 2 and 13.**

5. Identify all persons who supplied Defendants with the information requested in Interrogatory no. 4.

**SECOND SUPPLEMENTAL ANSWER: In addition to the persons identified in the previous answers, Defendants also identify: Newton Bullard, M.D., Michael F. Hartings, Ph.D., Mitchell Clionsky, Ph.D.**

6. Identify all physicians, or other healthcare professionals, with whom Defendants have spoken, corresponded, or from whom the Defendants have received information concerning Mr. Jeffries.

**SECOND SUPPLEMENTAL ANSWER: Michael F. Hartings, Ph.D., Newton Bullard, M.D., Mitchell Clionsky, Ph.D.**

7. Identify all sources of information utilized by Defendant in its review, analysis, and determination of Mr. Jeffries' claim.

**SECOND SUPPLEMENTAL ANSWER: Newton Bullard, M.D., Michael F. Hartings, Ph.D., Mitchell Clionsky, Ph.D.**

8. Identify each individual, employed by Defendant or otherwise, whom Defendant believes has knowledge of any information relating to Mr. Jeffries' claim, and, for each such individual, state the facts, action, or conduct of which the individual has knowledge.

**SECOND SUPPLEMENTAL ANSWER: Michael F. Hartings, Ph.D. has conducted a neuropsychological examination of Mr. Jeffries. A copy of Dr. Hartings' report is attached hereto. Dr. Hartings has information regarding the results of his examination of Mr. Jeffries, the neuropsychological testing he performed and his diagnosis of Mr. Jeffries. Newton Bullard, M.D. also has information regarding his physical examination of Mr. Jeffries. Mitchell Clionsky, Ph.D. has been previously identified but has additional information regarding his review of Dr. Hartings' neuropsychological testing.**

9. Identify the names of all individuals involved, or consulted by Defendant, in the evaluation of Mr. Jeffries' claim since February 1999.

**SECOND SUPPLEMENTAL ANSWER:** In addition to the persons previously identified, Defendant additionally identifies Newton Bullard, M.D. and Michael F. Hartings, Ph.D.

10. Identify and produce all records reviewed by any physician whom the Defendants or their agents or attorneys engaged to review Mr. Jeffries' health, physical, or mental condition.

**SECOND SUPPLEMENTAL ANSWER:** See the report of Michael F. Hartings, Ph.D. The medical records reviewed by Dr. Hartings are part of the claims file which is available for inspection and copying at the office of Defendants' counsel. Additionally, Dr. Mitchell Clionsky reviewed the report of Dr. Hartings.

**DOCUMENT REQUESTS**

2. Produce all documents referring or relating to the Policy, Mr. Jeffries, or the Claim, including but not limited to electronically stored information and handwritten notes of communications and conversations.

**SECOND SUPPLEMENTAL ANSWER:** See attached reports of Michael F. Hartings, Ph.D. and Newton Bullard, M.D. and the attached 5/5/03 opinion letter of Mitchell Clionsky, Ph.D.

13. Produce all documents and things you have received from any third party which relates to or refers to Mr. Jeffries as well as those which do not mention Mr. Jeffries by name but which you believe are relevant to him or his Claim.

**SECOND SUPPLEMENTAL ANSWER:** See attached reports of Michael F. Hartings, Ph.D. and Newton Bullard, M.D. and the attached 5/5/03 opinion letter of Mitchell Clionsky, Ph.D.

Respectfully submitted,



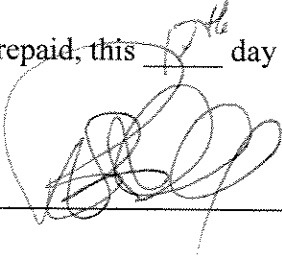
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Attorneys for Defendants  
Massachusetts Casualty Insurance Company  
and Disability Management Services, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served upon Michael A. Roberts,  
Graydon, Head & Ritchey, 1900 Fifth Third Center, 511 Walnut Street, Cincinnati, Ohio 45202,  
by facsimile and regular U.S. Mail, postage prepaid, this 14<sup>th</sup> day of June 2003.

  
A handwritten signature in dark ink is written over a horizontal line. The signature is stylized and appears to be the name of the person certifying service.

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